

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

SEP 24 2019

JULIA C. DUDLEY, CLERK
BY: *J. Dudley*
DEPUTY CLERK

UNITED STATES OF AMERICA :

v. :

DAVID BENJAMIN SHAFFER :

: Case No. 1:19-cr-43

INDICTMENT

COUNT ONE

The Grand Jury charges that:

1. On or about and between September 18, 2019, in the Western District of Virginia and elsewhere, DAVID BENJAMIN SHAFFER possessed with the intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, Schedule II controlled substances.

1. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT TWO

The Grand Jury charges that:

1. On or about September 18, 2019, in the Western District of Virginia and elsewhere, DAVID BENJAMIN SHAFFER knowingly used and carried during and in relation to, and possessed in furtherance of, a drug trafficking crime for which he may be prosecuted in a court of the United States (namely, possession with the intent to distribute 50 grams or more of a mixture or substance containing methamphetamine, as charged in Count One), a firearm.

2. All in violation of Title 18, United States Code, Section 924(c).

NOTICE OF FORFEITURE

1. Upon conviction of one or more of the felony offenses alleged in this Indictment, the defendants shall forfeit to the United States:

- a. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses, pursuant to 21 U.S.C. § 853(a)(1).
- b. any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said offenses, pursuant to 21 U.S.C. § 853(a)(2).

2. The property to be forfeited to the United States includes but is not limited to the following property:

a. **FIREARMS**

- (1) .40 caliber Khar Arms Model CW40 handgun (Serial # FD7416)

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p), including but not limited to above property.

A TRUE BILL, this 24 day of September, 2019.


s/Grand Jury Foreperson

THOMAS T. CULLEN
United States Attorney